

### Remarks

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

Applicants gratefully acknowledge the personal interview between Examiners Janice Li and David Nguyen and applicants' undersigned representative, on October 25, 2005. The substance of that interview is summarized as follows. During the interview, claims 11-16 were discussed, in particular, whether the specification supports "[a] method for producing a mouse recipient that produces an antibody reactive to an antigen protein for an autoimmune disease and/or has activated T cells reactive to the antigen protein" that is applicable to autoimmune diseases other than pemphigus vulgaris. The U.S. Patent and Trademark Office ("USPTO") acknowledged that the inventive concept might be applicable to other autoimmune diseases, but without specific information regarding specific genes responsible for other autoimmune diseases, and further evidence that knockout animals for those specific genes were available at the time the present invention was made, the invention as claimed is overly broad. Thus, the USPTO reiterated the position stated in the outstanding office action, i.e., that the specification meets the requirements of 35 U.S.C. § 112 (1<sup>st</sup> para) for written description and enablement for the recipient pemphigus vulgaris mouse model taught in the present application, but not for any other autoimmune disease. The amendments submitted herein reflect the subject matter indicated by the USPTO as allowable.

The rejection of claims 11, 12, and 14 under 35 U.S.C. § 112 (1<sup>st</sup> para.) for failure to comply with the written description requirement is respectfully traversed in view of the above amendments.

As amended, claim 11 includes the limitations of claims 15 and 16, which the USPTO acknowledged in the outstanding office action as allowable if written in independent form including all the limitations in the base claim. Accordingly, the rejection of claims 11, 12, and 14 under 35 U.S.C. § 112 (1<sup>st</sup> para.) for failure to comply with the written description requirement is improper and should be withdrawn.

The rejection of claims 11, 12, and 14 under 35 U.S.C. § 112 (1<sup>st</sup> para.) for lack of enablement is respectfully traversed in view of the above amendments.

Claim 11 as amended includes the limitations of claims 15 and 16, which the examiner acknowledged as acceptable if rewritten to include all the limitations of the base

claim. Accordingly, the rejection of claims 11, 12, and 14 under § 112 (1<sup>st</sup> para.) for lack of enablement is improper and should be withdrawn.

The objection to claims 13, 15, and 16 for being dependent upon a rejected base claim is respectfully traversed in view of the above amendments.

In view of all of the foregoing, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: Nov. 17, 2005

Noreen L. Connolly  
Noreen L. Connolly  
Registration No. 48,987

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1597  
Facsimile: (585) 263-1600

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_.

11-17-05  
Date

Typed or printed name

Angelica Grouse  
Signature  
Angelica Grouse